

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GREAT AMERICAN INSURANCE)	
COMPANY,)	Civil Action No. 04-1148
Plaintiff,)	
)	
vs.)	
)	
NORWIN SCHOOL DISTRICT,)	
Defendant and Third-Party)	
Plaintiff,)	
)	
vs.)	
)	
SHOFF CONSTRUCTION & DESIGN)	
INC. and FOREMAN PROGRAM &)	
CONSTRUCTION MANAGERS, INC.,)	
Third-Party Defendants.)	

ORDER

AND NOW, this 7th day of December, 2006, after the Plaintiff, Great American Insurance Company, filed an action in the above-captioned case, and after a motion for summary judgment as to damages against additional defendant Foreman Program & Construction Mangers, Inc. was submitted by the Defendant, Norwin School District, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the Defendant, and upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 134), which is adopted as the opinion of this Court,

IT IS ORDERED that the motion for summary judgment for damages against additional defendant Foreman Program & Construction Managers, Inc., submitted on behalf of Defendant Norwin School District (Docket No. 127), is denied.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

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